

09/28/01

1c960 U.S. PTO

Please type a plus sign (+) inside this box → ☐Approved for use through 10/31/2002. OMB 0651-0032  
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PTO/SB/05 (03-01)

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket  
No.

47161-00026USPT

First Inventor

Elrick Cornelius et al.

Title

Microphone For A Hearing Aid Or Listening Device With  
Improved Dampening Of Peak Frequency Response

Express Mail Label No.

EL722095640US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 25]  
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross References to Related Applications  
- Statement Regarding Fed sponsored R & D Invention  
- Reference to sequence listing, a table, or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 9]
5. ☐ Oath or Declaration [Total Pages    ]  
a. ☐ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table of  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☒ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35  
or its equivalent.
17. ☒ Other Check in the amount of \$1,714.00

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No:     /    , filedPrior application Information: Examiner     Group/Art Unit:    

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

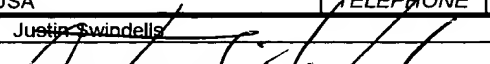
## 19. CORRESPONDENCE ADDRESS

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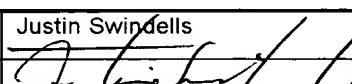
or ☒ New correspondence address below

NAME	Daniel J. Burnham						
ADDRESS	Jenkins & Gilchrist						
	1445 Ross Avenue, Suite 3200						
CITY	Dallas	STATE	TX	ZIP CODE	75202-2799		
COUNTRY	USA	TELEPHONE	312 425-3900	FAX	214 855-4300		
Name (Print/Type)	Justin Swindells			Registration No. (Attorney/Agent)	48,733		
Signature				Date	9/28/2001		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2001</h3> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision</p>		<b>Complete if Known</b>	
		Application Number	Unassigned
		Filing Date	September 28, 2001
		First Named Inventor	Elrick Cornelius et al.
		Examiner Name	Unassigned
		Group Art Unit	Unassigned
TOTAL AMOUNT OF PAYMENT		Attorney Docket Number	47161-00026USPT

<p><b>METHOD OF PAYMENT (check one)</b></p> <p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <u>10-0447/47161-00026USPT</u></p> <p>Deposit Account Name <u>Jenkins &amp; Gilchrist</u></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p> <p style="text-align: center; margin-top: 10px;"><b>FEE CALCULATION</b></p> <p><b>1. BASIC FILING FEE</b></p> <table style="width: 100%; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>710</td> <td>201</td> <td>355</td> <td>Utility filing fee</td> <td><u>710.00</u></td> </tr> <tr> <td>106</td> <td>320</td> <td>206</td> <td>160</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107</td> <td>490</td> <td>207</td> <td>245</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>710</td> <td>208</td> <td>355</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>150</td> <td>214</td> <td>75</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td><b>(\$ 710.00)</b></td> </tr> </tbody> </table> <p><b>2. EXTRA CLAIM FEES</b></p> <table style="width: 100%; font-size: x-small;"> <thead> <tr> <th></th> <th>Extra</th> <th>Fee from below</th> <th></th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims <u>58</u> -20 =</td> <td><u>36</u></td> <td>X <u>18.00</u></td> <td>=</td> <td><u>648.00</u></td> </tr> <tr> <td>Independent <u>7</u> - 3 =</td> <td><u>4</u></td> <td>X <u>80.00</u></td> <td>=</td> <td><u>320.00</u></td> </tr> <tr> <td>Claims</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Multiple Dependent Claims</td> <td></td> <td>X</td> <td>=</td> <td></td> </tr> </tbody> </table> <table style="width: 100%; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>102</td> <td>80</td> <td>202</td> <td>40</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>104</td> <td>270</td> <td>204</td> <td>135</td> <td>Multiple dependent claim, if not paid</td> </tr> <tr> <td>109</td> <td>80</td> <td>209</td> <td>40</td> <td>** Reissue independent claims over original patent</td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>** Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td><b>(\$ 1,004.00)</b></td> </tr> </tbody> </table> <p><small>** or number previously paid, if greater; For Reissues, see above</small></p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	710	201	355	Utility filing fee	<u>710.00</u>	106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee		<b>SUBTOTAL (1)</b>					<b>(\$ 710.00)</b>		Extra	Fee from below		Fee Paid	Total Claims <u>58</u> -20 =	<u>36</u>	X <u>18.00</u>	=	<u>648.00</u>	Independent <u>7</u> - 3 =	<u>4</u>	X <u>80.00</u>	=	<u>320.00</u>	Claims					Multiple Dependent Claims		X	=		Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim, if not paid	109	80	209	40	** Reissue independent claims over original patent	110	18	210	9	** Reissue claims in excess of 20 and over original patent	<b>SUBTOTAL (2)</b>					<b>(\$ 1,004.00)</b>	<p><b>3. 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late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920	112	920	Requesting publication of SIR prior to Examiner action		113	1,840	113	1,840	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of Information Disclosure Statement		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____						<b>SUBTOTAL (3)</b>					<b>(\$ )</b>	* Reduced by Basic Filing Fee Paid					
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120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																																
121	270	221	135	Request for oral hearing																																																																																																																																																																																																																																																																																																																
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																																
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																																
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																																
143	440	243	220	Design issue fee																																																																																																																																																																																																																																																																																																																
144	600	244	300	Plant issue fee																																																																																																																																																																																																																																																																																																																
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																																																
123	50	123	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																																																																																																																																																
126	180	126	180	Submission of Information Disclosure Statement																																																																																																																																																																																																																																																																																																																
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																																																																																
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																																																																
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																																
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																																																																																																																																																
Other fee (specify) _____																																																																																																																																																																																																																																																																																																																				
<b>SUBTOTAL (3)</b>					<b>(\$ )</b>																																																																																																																																																																																																																																																																																																															
* Reduced by Basic Filing Fee Paid																																																																																																																																																																																																																																																																																																																				

<b>SUBMITTED BY</b>				<b>Complete (if applicable)</b>	
Typed or Printed Name	Justin Swindells	Registration No. (Attorney/Agent)	48,733	Telephone	312.425.3900
Signature				Date	SEPTEMBER 28, 2001

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.